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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,371	10/12/2000	Takeshi Funahashi	Q61173	4799
7590	08/01/2003			
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3202			EXAMINER	
			AZARIAN, SEYED H	
ART UNIT	PAPER NUMBER			
	2625			
DATE MAILED: 08/01/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/686,371	FUNAHASHI, TAKESHI
	Examiner Seyed Azarian	Art Unit 2625

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 October 2000.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-11 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-11 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 12 October 2000 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

 If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

4) Interview Summary (PTO-413) Paper No(s). _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11, are rejected under 35 U.S.C. 103(a) as being unpatentable over Funahashi et al (U.S. patent 4,994,662) in view of Takeo (U.S. patent 5,796,870).

Regarding claim 1, Funahashi et al discloses radiation image read-out apparatus and method for operating the same, comprising; an image sending apparatus for sending an image input from an external apparatus to a predetermined addressee, the image sending apparatus comprising (Fig. 12, column 12, lines 48-56, image has been stored is placed at a predetermined position).

Display means for displaying the image having been input (column 13, line 58 through column 13, line 2, display an image represented by the preliminary read-out image).

Transmission means for sending the image (Fig. 1, column 6, lines 17-24, image read-out).

Unnecessary image designating means for enabling designation of the image displayed on the display means as an unnecessary image (column 14, lines 20-35, operator can view the image display on the CRT display device and judge whether or not the image was stored on the stimulable phosphor sheet (refer to unnecessary image)).

However Funahashi et al is silent about “transmission control not to send unnecessary image”. On the other hand Takeo in the same field of radiograph teaches column 19, lines 48-57, image signal values corresponding to an image portion representing an unnecessary tissue in the image.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made, to modify Funahashi et al invention according to the teaching of Takeo because it provides morphology operation corresponding to unsharp mask signal or occurrence of density blurring in the vicinity of the image which can be reduced and eliminate to save time and achieves accuracy.

Regarding claim 2, Funahashi et al discloses an image sending apparatus, wherein the unnecessary image designating means carries out the designation of the unnecessary image by moving display of accompanying information of the image to an unnecessary image list on the display means (column 14, lines 3-17, judgment is made to whether the mode of adjusting the read out and played on the CRT display).

Regarding claim 3, Funahashi et al discloses a n image sending apparatus, wherein the transmission control means controls the transmission means so as not to send an image having

medical examination information which is the same as medical examination information of the image having been designated as the unnecessary image (column 14, lines 3-18, judging for selected region).

Regarding claim 4, Funahashi et al discloses an image sending apparatus, wherein the image having been designated as the unnecessary image is automatically deleted after a predetermined time has elapsed (column 7, lines 15-31, refer to time).

Regarding claim 6, Funahashi et al discloses an image transmission information display apparatus for displaying transmission information on a display screen for confirmation of a transmission status of a medical image to be sent to one or more addressees, (column 12, lines 19-56, preliminary read-out which carries out a preliminary readout by scanning).

The image transmission information display apparatus comprising: image list display control means for displaying an image list on the screen (column 16, lines 36-52 detecting and receiving reading light also column 14, lines 20-35, operator can view the image display on the CRT display device and judge whether or not the image was stored on the stimulable phosphor sheet).

Transmission completion detection means for outputting a transmission completion signal by detecting normal completion of transmission of the medical image to all the addressees; and transmission completion display control means for displaying, in an information display area of the image in the image list, a transmission completion status indicating the normal completion of the transmission of the medical image to all the addressees by receiving the transmission completion signal (column 13, line 58 through column 13, line 2, display an image represented

Art Unit: 2625

by the preliminary read-out image and Fig. 12, column 12, lines 48-56, image has been stored is placed at a predetermined position also column 6, lines 17-24, image read-out).

Regarding claim 9, Funahashi et al discloses an image transmission information display apparatus, further comprising: unsuccessful transmission detection means for outputting an unsuccessful transmission signal by detecting unsuccessful transmission to any one of the addressees; and unsuccessful transmission display control means for displaying, in the information display area of the image in the image list, an unsuccessful transmission status indicating failure of transmission to any one of the addressees, by receiving the unsuccessful transmission signal (column 16, lines 36-52 detecting and receiving reading light also column 14, lines 20-35, operator can view the image display on the CRT display device and judge whether or not the image was stored on the stimulable phosphor sheet).

Regarding claim 10, Funahashi et al discloses an image transmission information display apparatus, wherein the unsuccessful transmission status can be displayed by changing color or brightness of the information display area of the image in the image list (column 15, line 57 through column 16, line 4, change the intensity of the light beam).

Regarding claim 11, Funahashi et al discloses an image transmission information display apparatus as claimed in any one of Claims 6 to 8, further comprising image list specifying means for specifying an information display area of any image in the image list display instruction means for instructing display of a transmission status list; and list display control means for displaying, in the case where an information display area of an image has been specified by the list specifying means and the transmission status list display has been instructed by the list

display instruction means, (column 13, line 59 through column 14, line 2, necessary instructions and CRT display also column 14, lines 53-65 refer to final read out).

Regarding claim 5, recite similar limitation as claim 1 and is similarly analyzed.

Regarding claims 7 and 8, recite similar limitation as claim 6 is similarly analyzed.

Other prior art cited

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. patent (4,258,264) to Kotera et al is cited for method of and apparatus for reading out a radiation image recorded in a stimulable phosphor.

U.S. patent (4,485,302) to Tanaka et al is cited for radiation image read out devise.

U.S. patent (4,723,074) to Kimura is cited for radiation image recording and read-out apparatus.

U.S. patent (4,346,295) to Tanaka et al is cited for radiation image read out device.

U.S. patent (4,760,256) to Ohgoda et al is cited for radiation image recording and read-out apparatus.

U.S. patent (6,163,386) to Kobayashi et al is cited for photoelectric conversion device and driving method therefor.

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Azarian whose telephone number is (703) 306-5907.

The examiner can normally be reached on Monday through Thursday from 6:00 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached at (703) 308-5246.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9314, ("draft" or "informal" communications should be clearly labeled to expedite delivery to examiner).

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to T.C. customer service office whose telephone number is (703) 306-0377.

Seyed Azarian
Patent Examiner
Group Art Unit 2625
July 21, 2003

Jayanti K. Patel
Jayanti K. Patel
Primary Examiner

Sinclair